

72-7-206 Screening of existing junkyards.

- (1) The department shall screen any junkyard lawfully in existence on May 9, 1967, which is located within 1,000 feet of the nearest edge of the right-of-way and visible from the main-traveled-way of any highway on the interstate or primary system.
- (2) The screening shall be at locations on the right-of-way or in areas outside the right-of-way acquired for that purpose and may not be visible from the main-traveled-way of the interstate or federal-aid primary systems.
- (3) The department may not install junkyard screening under this section unless:
 - (a) the necessary federal funds for participation have been appropriated by the federal government and are immediately available to the state; and
 - (b) the department has received approval to seek federal grants, loans, or participation in federal programs under Title 63J, Chapter 5, Federal Funds Procedures Act.

Amended by Chapter 382, 2008 General Session